

IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI

IN THE MATTER OF
WOODROW PRICE III

CASE NO-15-03421-NPO

U.S. BANKRUPTCY COURT
SOUTHERN DISTRICT
16 JUN 15 AM 9:07
DANNY L. MILLER
CLERK
BY *[Signature]* DEPUTY
CHAPTER 13

MOTION SEEKING RELIEF TO TEMPORARILY LIFT AUTOMATIC STAY

I

NOW INTO THIS COURT COMES MOVANT, JERRY W. BAUGHMAN, representing himself Pro Se, petitioning the court to grant relief in the above titled Chapter 13 Bankruptcy Case.

II

Movant seeks relief pursuant to Rule 9014 of The Federal Rules of Bankruptcy Procedure, for cause, under Title 11, U.S.C., here after referred to as "The Bankruptcy Code" through Modification of the Automatic Stay under Section 362 (d)-(g). Movant requests/asks this Honorable Court to Lift The Automatic Stay temporarily, for the sole purpose of allowing Movant to to return to The State Court, Hinds County Court, First Judicial District, Jackson, Mississippi, in the Cause No.15-2658 Titled Action, JERRY W. BAUGHMAN VS. WOODROW PRICE III AND JOHN AND JANE DOES 1-10, Defendant; in order to allow Movant to obtain a Confirmed Default Judgment, Under MS. Rule 55 MRCP and to Perfect Liquidated Damages in said Lawsuit in the above action; resulting from a vehicle accident caused by Negligence, on the part of the Defendant, on the night of April 27, 2014, thus Enjoining both parties in these Chapter 13 Bankruptcy Proceedings.

III

Further, Movant requests, by Stipulation, that he be granted a period, not to exceed 30 days, under The Bankruptcy Code, Fed. R. Banker, P 3001; P3002(c) to Move any obtained, Liquidated Default Judgment into The Chapter 13 Bankruptcy Court and be allowed to file a Late Proof of Claim within the 30 day period. Movant originally filed several "Informal" Proofs of Claim Timely, within the 90 day deadline under Fed. R. Banker. P. 3002(c).

IV

Movant had a Pre-Petition/Pre Bankruptcy Lawsuit filed in Hinds County Court on August 11, 2015, CAUSE NO. 15-2658 by previous counsel, Mr. Mike Maggio, Attorney at Law, Maggio & Thompson, Attorneys at Law, 174 West Center Street, Canton, MS. 39046. Telephone 769-257-7594, Fax: 769-257-7770. The 30 day time/prescriptive period lapsed, without the Defendant, Woodrow Price III, having answered the Lawsuit. On November 3, 2015, Wesley Stover, Attorney at Law, 403 State Street, 555 Tombigbee Street, Suite 100, Jackson, MS. 39201; Telephone: 601-949-5000, filed Notice of Intent to File Chapter 13 Bankruptcy Relief on behalf of his client, Debtor/Defendant, Woodrow Price III.

V

Mover requests relief, as stated in Paragraph II, and in accordance with Title II, U.S.C.; and will not attempt any collections, contacts, or purpose any other type action, against Debtor/Defendant as would violate the Bankruptcy Code under 362(h). Wes Stover, attorney for Debtor/Defendant, has stated through his co-counsel, Ms. Karona Johnson, Attorney at Law, in open court on June 6, 2016, that he has no objection to Movant seeking relief through This Bankruptcy Court to Lift The Automatic Stay. Accordingly, through his attorney, Ms. Letitia Johnson, Attorney at Law, The Chapter 13 Bankruptcy Trustee, Mr. James L. Henley, Jr., has likewise informed Movant he has no objection to Movant seeking Lifting of The Automatic Stay.

VI

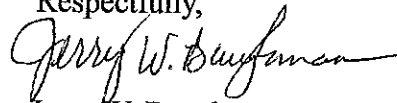
Movant, Jerry W. Baughman, Humbly Prays Before this Honorable Court that this Esteemed Court Grant Him Relief From The Automatic Stay; in order to finalize and establish a valid, Confirmed Claim in The State Court, Hinds County Court. Further, Movant Prays that he be allowed to move his Default Judgment, with Liquidated Damages into The Chapter 13 Bankruptcy Court and to be permitted to file a Late Proof of Claim and attach it to These bankruptcy Proceedings. Movant Prays This Court will allow him to remain in these proceedings, as an Unsecured creditor, avoiding Debtor's Discharge; and to be Alloted The 30% Recovery Confirmed in The Plan Dated 03/07/2016. Movant/ Petitioner Prays for Any Other Equitable Relief as may be Just, Proper, and Upheld by This Court. Movant Thanks this Court for its Consideration on This Motion to Temporarily Lift The Automatic Stay.

Please Serve:

James L. Henley, Jr., Bankruptcy Trustee

Wes Stover, Attorney at Law

Respectfully,


Jerry W. Baughman